

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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|--------------------------|---|----------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| |) | |
| v. |) | No. 1:21-cr-10256-IT |
| |) | |
| KINGSLEY R. CHIN, |) | |
| ADITYA HUMAD, and |) | |
| SPINEFRONTIER, INC., |) | |
| |) | |
| Defendants |) | |

**GOVERNMENT'S MOTION TO SEAL ITS OPPOSITION TO DEFENDANTS'
MOTION TO RECONSIDER THE COURT'S JULY 3, 2024 ORDER (DKT. NO. 195)**

The government respectfully requests leave to file under seal its Opposition to Defendant's Motion to Reconsider the Court's July 3, 2024 Order (Dkt. No. 195).

The government moved to seal portions of the Court's July 3, 2024, Order referencing grand jury material and proceedings pursuant to Local Rule 106.1 which provides that filings "concerning or contesting grand jury proceedings shall be sealed and impounded unless otherwise ordered by the court based upon a showing of particularized need." *See* Dkt. No. 182. As the government explained, "[t]he proper functioning of our grand jury system depends upon the secrecy of grand jury proceedings." *Id.* (quoting *Douglas Oil Co. v. Petrol Stops Northwest*, 441 U.S. 211, 218 (1979)). *See also* Dkt. No. 156.

For the same reasons—that is to maintain the secrecy of grand jury proceedings—and consistent with its prior briefing (*see* Dkt. Nos. 156, 173, 182, 199) the government requests leave to file under seal its opposition brief, which references grand jury proceedings and materials. If this motion is granted, the government will file its opposition brief under seal and file a redacted version on the public docket.

The government has conferred with Defendants concerning the relief requested in this motion. Defendants indicated that they object to the relief requested, consistent with the position set forth in their prior briefing on the subject. *See* Dkt. Nos. 183, 185, 204.

Dated: August 12, 2024

Respectfully submitted,

UNITED STATES OF AMERICA,

By its attorney,

JOSHUA S. LEVY
Acting United States Attorney

/s/ Chris Looney
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that I caused this document to be filed through the ECF system on August 12, 2024.

/s/ Chris Looney
CHRISTOPHER LOONEY

CERTIFICATION PURSUANT TO L.R. 7.1

The undersigned hereby certifies that counsel for the government conferred in good faith with counsel for Defendants, but the parties were unable to resolve the issues presented by this Motion.

/s/ Christopher Looney
CHRISTOPHER LOONEY